

Response Under 37 C.F.R. § 1.116  
Serial No.: 10/539,010  
SUGHRUE MION, PLLC Ref: Q88256

### **REMARKS**

Claims 1-22 are pending in the application. Whereas in the previous Office Action the Examiner rejected claims 1-4, 6-8, 10-12, and 16-20 under 35 U.S.C. § 102 (b) as being anticipated by Suzuki, the Examiner now rejects these claims under 35 U.S.C. § 103(a) as being obvious over Suzuki. Otherwise, the Examiner maintains the rejection of claims 5 and 13-15 under 35 U.S.C. § 103(a) as being obvious over Suzuki in view of Polgar et al. and the rejection of claims 9, 21, and 22 under 35 U.S.C. § 103(a) as being obvious over Suzuki in view of Okabe et al.

Applicants note that claim 1 is independent form with claims 2-22 depending therefrom. Accordingly, Applicants will focus their analysis on independent claim 1.

Applicants submit that the rejection is improper. Indeed, it is submitted that the rejection is improper on its face and the reasoning does not support a *prima facie* case. More specifically, in rejecting claim 1, the Examiner contends that the connector 15 corresponds to the cassette relay block having a lock portion 21 and that the cover 11 corresponds to the claimed attaching member having a locked portion 23. However, the remaining portion of the rejection is difficult to understand. Specifically, the Examiner states as follows:

However, Suzuki discloses a locked portion [23] disposed inwardly of an outermost wall surface of the cassette relay block [15] and the lock portion [21] located on peripheral wall side of the attaching side, which is reversal to the claimed cassette relay block attachment structure. It has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167.

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With due respect, it is submitted that there are a number of problems with this analysis. First, the Examiner is incorrect when he states that “Suzuki discloses a locked portion [23] disposed inwardly of an outermost wall surface of the cassette relay block [15].” Indeed, referring to Figure 1 of Suzuki it can be seen that element 23 is actually part of the lower cover 11 (which the Examiner analogizes to the attaching member), and not the connector 15 (which the Examiner analogizes to the cassette relay block). Thus, on its face this portion of the rejection is improper.

The Examiner further states that “Suzuki discloses...the lock portion [21] located on the peripheral wall side of the attaching side....” However, the projections 21 are part of the connector 15 (which the Examiner analogizes to the claimed cassette relay block) and not to the attaching member, as the Examiner asserts. Thus, this portion of the Examiner’s rejection is likewise improper on its face.

To the extent that Applicants can understand the rejection, it appears that the Examiner is taking the position that the claimed invention merely involves the reversal of working parts of the device disclosed in Suzuki. However, Applicants do not agree with this position or, for that matter, understand it. For example, if one were to reverse the locking parts disclosed in Suzuki, one would simply reverse the locking pieces 23 for the locking projections 21. However, even this modification would not result in the claimed invention because the locked portion of the connector (which the Examiner analogizes to the cassette relay block) would still be on the outside of the outermost wall surface of the connector 15, in contrast with the requirement of

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claim 1 that it be disposed inwardly of the outermost wall surface. Thus, merely reversing the locking projection 21 for the locking pieces 23 would not result in the claimed invention.

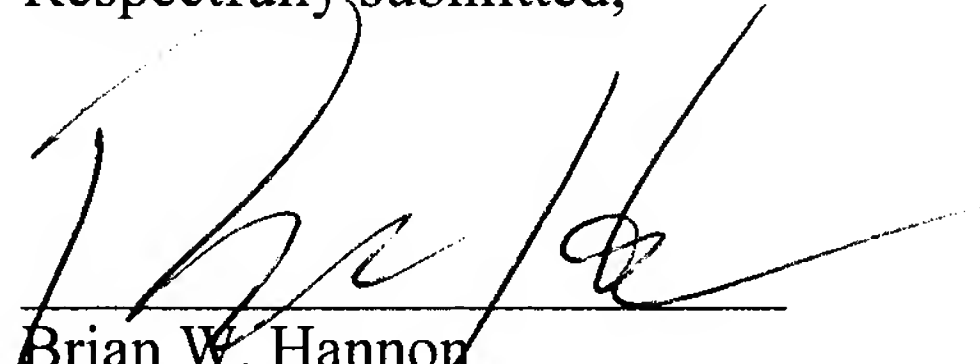
Furthermore, the case cited by the Examiner, *In re Einstein*, is not on point. In that case, the court merely held that the arrangement in which a cam follower is attached to a moving spindle and the inner sleeve has the cam groove would have been unobvious over the opposite arrangement. However, this holding certainly does not support the position that it would have been obvious to redesign the electrical connection box of Suzuki so that the projections 21 are disposed inwardly of the outermost wall surface, rather than on the outside of the outermost wall surface, as disclosed in Suzuki.

In view of the foregoing, Applicants respectfully submit that the rejections are improper. Therefore, it is submitted that the claims patentably distinguish over the prior art. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



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